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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/864,338	05/25/2001 Jun Etoh		11-706-02	3538
24956 75	590 10/20/2003	EXAMINER		
MATTINGLY 1800 DIAGON	Y, STANGER & MALU	MAI, SON LUU		
SUITE 370	AL ROAD	ART UNIT	PAPER NUMBER	
ALEXANDRIA, VA 22314			2818	

DATE MAILED: 10/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application	n No.	Applicant(s)				
Office Action Summary		09/864,33	8	ETOH ET AL.				
		Examiner		Art Unit				
		Son L. Mai		2818				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address								
Period for Reply								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
Status								
1)⊠ 2a)□								
3)⊠	This action is <b>FINAL</b> . 2b)⊠ This action is non-final.							
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. <b>Disposition of Claims</b>								
4)⊠ Claim(s) <u>53-63, 65, 70-74</u> is/are pending in the application.								
4a) Of the above claim(s) is/are withdrawn from consideration.								
5)⊠ Claim(s) <u>53-63, 65, 70-74</u> is/are allowed.								
6)☐ Claim(s) is/are rejected.								
7)	7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or election requirement.								
	on Papers							
	The specification is objected to by the Examine			er dans				
10)⊠ The drawing(s) filed on <u>25 May 2001</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.								
11)[] ]	Applicant may not request that any objection to the	* * * *						
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.								
If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.								
Priority under 35 U.S.C. §§ 119 and 120								
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).								
a) ⊠ All b) □ Some * c) □ None of:								
1.☐ Certified copies of the priority documents have been received.								
	2. ☐ Certified copies of the priority documents have been received in Application No. <u>08/104,508</u> .							
3. Copies of the certified copies of the priority documents have been received in this National Stage								
application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.								
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).								
<ul> <li>a) ☐ The translation of the foreign language provisional application has been received.</li> <li>15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.</li> </ul>								
Attachment(s)								
2) Notice	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s) <u>0</u>	9-09-03 .		(PTO-413) Paper No(s) Patent Application (PTO-152)				

Application/Control Number: 09/864,338 Page 2

Art Unit: 2818

#### **DETAILED ACTION**

### Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09-09-03 has been entered. Accordingly, claims 53-63, 65, and 70-74 are pending in the application.

# Reissue Applications

2. The original patent, or a statement as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.

# Allowable Subject Matter

- 3. Claims 53-63, 65 and 70-74 are allowed. The reasons for allowance was provided in the Office action dated 04-09-03.
- 4. This application is in condition for allowance except for the above formal matters.

  Prosecution on the merits is closed in accordance with the practice under *Ex*parte Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO**MONTHS from the mailing date of this letter.

Application/Control Number: 09/864,338

Art Unit: 2818

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son L. Mai whose telephone number is 305-3497. The examiner can normally be reached on 8am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 308-4910. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-0956.

10-08-03

Son L. Mai Primary Examiner Art Unit 2818 Page 3